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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Mitch Fredrick Singer

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8818

27189

7590

05/29/2009

PROCOPIO, CORY, HARGREAVES & SAVITCH LLP

530 B STREET

SUITE 2100

SAN DIEGO, CA 92101

EXAMINER

KRISHNAN, VIVEK V

ART UNIT

PAPER NUMBER

2445

NOTIFICATION DATE

DELIVERY MODE

05/29/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@procopio.com

PTONotifications@procopio.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/686,954	<b>Applicant(s)</b> SINGER ET AL.	
	<b>Examiner</b> Vivek Krishnan	<b>Art Unit</b> 2445	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) 32-45 and 51-58 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31, 46-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-58 are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :1/12/2004; 6/25/2004; 10/25/2004; 7/24/2007; 10/31/2007; 12/3/2007; 2/8/2008; 5/15/2008; 8/5/2008; 12/18/2008.

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### **DETAILED ACTION**

This is a Non-Final Office Action Correspondence in response to U.S. Application No.

10/686954 filed on October 15, 2003, which claims benefit to U.S. Provisional Application No.

60/434774 filed on December 17, 2002 and U.S. Provisional Application No. 60/471823 filed on

May 20, 2003. Claims 1-58 are pending.

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1, 18, 26, 29, and 46, drawn to adding a client to a network, classified in class 709, subclass 229.
  - II. Claims 32 and 51, drawn to removing a client from a network, classified in class 709, subclass 225.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, invention I has separate utility such as authentication/authorization and establishing a connection, while invention II has separate utility such as disconnection and license control. See MPEP § 806.05(d).

The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable

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subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

3. Restriction for examination purposes as indicated is proper because all these inventions listed in this action are independent or distinct for the reasons given above and there would be a serious search and examination burden if restriction were not required because one or more of the following reasons apply:

- (a) the inventions have acquired a separate status in the art in view of their different classification;
- (b) the inventions have acquired a separate status in the art due to their recognized divergent subject matter;
- (c) the inventions require a different field of search (for example, searching different classes/subclasses or electronic resources, or employing different search queries);
- (d) the prior art applicable to one invention would not likely be applicable to another invention;
- (e) the inventions are likely to raise different non-prior art issues under 35 U.S.C. 101 and/or 35 U.S.C. 112, first paragraph.

**Applicant is advised that the reply to this requirement to be complete must include (i) an election of a invention to be examined even though the requirement may be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.**

The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention.

If claims are added after the election, applicant must indicate which of these claims are readable upon the elected invention.

Should applicant traverse on the ground that the inventions are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

4. During a telephone conversation with Samuel Lee (Reg. No. 42,791) on April 20, 2009 a provisional election was made without traverse to prosecute the invention of subcombination I, independent claims 1, 18, 26, 29, and 46. Affirmation of this election must be made by applicant

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in replying to this Office action. Claim 32-45 and 51-58 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

#### ***Oath/Declaration***

6. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because: the oath is missing.

#### ***Information Disclosure Statement***

7. With regard to the Information Disclosure Statements filed to date:

It is impractical for the examiner to review the references thoroughly with the number of references cited in the case. By initialing each of the cited references on the accompanying 1449

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forms, the examiner is merely acknowledging the submission of the cited references and merely indicating that only a cursory review is made of the cited references.

An applicant's duty of disclosure of material and information is not satisfied by presenting a patent examiner with "a mountain of largely irrelevant [material] from which he is presumed to have been able, with his expertise and with adequate time, to have found the critical [material]. It ignores the real world conditions under which examiners work." *Rohm & Haas Co. v. Crystal Chemical Co.*, 722 F.2d 1556, 1573 [220 USPQ 289] (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984) (Emphasis in original). Patent applicant has a duty not just to (disclose pertinent prior art references but to make a disclosure in such way as not to "bury" it within other disclosures of less relevant prior art; See *Golden Valley Microwave Foods Inc. v. Weaver Popcorn Co. Inc.*, 24 USPQ2d 1801 (N.D. Ind. 1992); *Molins PLC v. Textron Inc.*, 26 USPQ2d 1889, at 1899 (D.Del. 1992); *Penn Yan Boats, Inc. v. Sea Lark Boats, Inc. et al.*, 175 USPQ 260, at 272 (S.D. Fl- 1972).

### ***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.



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9. Claims 1-6, 8, 9, 18-21, 26-30, and 46-49 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2004/0168184 to Steenkamp et al. (hereinafter "Steenkamp").

10. As to Claim 1, Steenkamp discloses a method of adding a client as a member of a hub network, comprising:

detecting a client connected to a server in a hub network (Steenkamp; paragraphs 60 and 65; request);

authenticating said client (Steenkamp; paragraphs 60 and 65; authentication);

authorizing said client (Steenkamp; paragraphs 60 and 65; authorization); and

adding said client as a member in said hub network (Steenkamp; paragraphs 60 and 68; subscribed/registered).

11. As to Claim 2, Steenkamp discloses the method of claim 1, wherein said server will provide a license for content data bound to said hub network only to members of said hub network (Steenkamp; paragraph 98; licenses).

12. As to Claim 3, Steenkamp discloses the method of claim 1, further comprising receiving an add request indicating said client (Steenkamp; paragraph 60; request).

13. As to Claim 4, Steenkamp discloses the method of claim 3, wherein said add request is received from said client (Steenkamp; paragraph 60; request).

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14. As to Claim 5, Steenkamp discloses the method of claim 1, further comprising connecting said client to said server (Steenkamp; paragraphs 60 and 65).

15. As to Claim 6, Steenkamp discloses the method of claim 1, wherein detecting said client includes receiving a connection notification from said client (Steenkamp; paragraph 60).

16. As to Claim 8, Steenkamp discloses the method of claim 1, wherein authenticating said client includes sending an identification request to said client, said identification request requests information from said client identifying said client (Steenkamp; paragraph 119).

17. As to Claim 9, Steenkamp discloses the method of claim 1, wherein authorizing said client includes sending a local environment confirmation request to said client (Steenkamp; paragraphs 99, 201).

18. As to Claim 18, Steenkamp discloses a method of adding a client as a member of a hub network, comprising:

sending a connection notification from a client to a server in a hub network (Steenkamp; paragraphs 95-96; request);

sending identification information from said client to said server (Steenkamp; paragraphs 84, 95, 274-282; userid); and

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receiving an add confirmation at said client from said server; wherein said add confirmation indicates said client has been added as a member in said hub network (Steenkamp; paragraphs 84, 95, 274-282, 299; get subscriber confirmation indicating user account).

19. As to Claim 19, Steenkamp discloses the method of claim 18, wherein said server will provide a license for content data bound to said hub network only to members of said hub network (Steenkamp; paragraph 282).

20. As to Claim 20, Steenkamp discloses the method of claim 18, further comprising sending an add request indicating said client from said client to said server (Steenkamp; paragraph 98).

21. As to Claim 21, Steenkamp discloses the method of claim 18, further comprising connecting said client to said server (Steenkamp; Figure 2).

22. As to Claim 26, Steenkamp discloses a method of adding a client as a member of a hub network, comprising:

authenticating a client through an intermediary device connected to a server in a hub network (Steenkamp; paragraphs 60, 65, 341; authentication via proxy);

authorizing said client through said intermediary device (Steenkamp; paragraphs 60, 65, 341; authorization via proxy); and

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adding said client as a member in said hub network through said intermediary device; wherein said client is not connected to said server (Steenkamp; Figure 2, paragraphs 60 and 68; subscribed/registered).

23. As to Claim 27, Steenkamp discloses the method of claim 26, wherein said server will provide a license for content data bound to said hub network only to members of said hub network (Steenkamp; paragraph 98; licenses).

24. As to Claim 29, Steenkamp discloses a method of adding a client as a member of a hub network, comprising:

sending a connection notification from a client to a server in a hub network through an intermediary device connected to said server (Steenkamp; paragraphs 95-96; request);

sending identification information from said client to said server through said intermediary device (Steenkamp; paragraphs 84, 95, 274-282; userid); and

receiving an add confirmation at said client from said server through said intermediary device; wherein said add confirmation indicates said client has been added as a member in said hub network (Steenkamp; paragraphs 84, 95, 274-282, 299; get subscriber confirmation indicating user account).

25. As to Claim 30, Steenkamp discloses the method of claim 29, wherein said server will provide a license for content data bound to said hub network only to members of said hub network (Steenkamp; paragraph 282).

26. As to Claim 46, Steenkamp discloses a method of reconnecting a client to a hub network, comprising: detecting a client connected to a hub network (Steenkamp; paragraphs 60 and 65; request); authenticating said client as a member of said hub network (Steenkamp; paragraphs 60 and 65; authentication); and authorizing said client (Steenkamp; paragraphs 60 and 65; authorization).

27. As to Claim 47, Steenkamp discloses the method of claim 46, further comprising refreshing one or more licenses stored on said client (Steenkamp; paragraph 98; licenses).

28. As to Claim 48, Steenkamp discloses the method of claim 46, wherein authenticating said client includes sending an identification request to said client, said identification request requests information from said client identifying said client (Steenkamp; paragraph 119).

29. As to Claim 49, Steenkamp discloses the method of claim 46, wherein authorizing said client includes sending a local environment confirmation request to said client, and said local environment is a limited area defined relative to said server (Steenkamp; paragraphs 99, 201).

***Claim Rejections - 35 USC § 103***

30. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

31. Claim 7 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steenkamp, as applied to Claims 1 and 18 above, and further in view of U.S. Patent Application Publication No. 2005/0273608 to Kamperman (hereinafter "Kamperman").

32. As to Claim 7, Steenkamp discloses the method of claim 1. Steenkamp further discloses that a [...] device will not decrypt locked content data without a license that is bound to a hub network of which the [...] device is a member (Steenkamp; paragraph 98).

Steenkamp does not explicitly disclose, however Kamperman discloses authenticating said client includes sending a compliance confirmation request to said client, said compliance confirmation request requests information from said client to confirm that said client is a compliant device (Kamperman; paragraphs 5, 6, 29-31; authentication includes device compliance).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify authentication, as disclosed by Steenkamp, to include compliance confirmation, as disclosed by Kamperman, in order to provide enhanced methods of authentication in a DRM network.

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33. As to Claim 22, Steenkamp discloses the method of claim 18. Steenkamp further discloses that a [...] device will not decrypt locked content data without a license that is bound to a hub network of which the [...] device is a member (Steenkamp; paragraph 98).

Steenkamp does not explicitly disclose, however Kamperman discloses sending compliance information from said client to said server; wherein said compliance information indicates that said client is a compliant device (Kamperman; paragraphs 5, 6, 29-31; authentication includes device compliance).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify authentication, as disclosed by Steenkamp, to include compliance confirmation, as disclosed by Kamperman, in order to provide enhanced methods of authentication in a DRM network.

34. Claim 10, 23, 28, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steenkamp, as applied to Claims 9, 18, 26, and 29 above, and further in view of U.S. Patent Application Publication No. 2003/0167392 to Fransdonk (hereinafter "Fransdonk").

35. As to Claim 10, Steenkamp discloses the method of claim 9. Steenkamp does not explicitly disclose, however Fransdonk discloses said local environment confirmation request requests information from said client indicating whether said client in a local environment of said server, and said local environment is a limited area defined relative to said server (Fransdonk; paragraphs 368-371).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the client/server, as disclosed by Steenkamp, to include a local environment, as disclosed by Fransdonk, in order to provide geographic access criteria in DRM networks.

36. As to Claim 23, Steenkamp discloses the method of claim 18. Steenkamp does not explicitly disclose, however Fransdonk discloses sending authorization information from said client to said server; wherein said authorization information indicates said client is in a local environment of said server, and said local environment is a limited area defined relative to said server (Fransdonk; paragraphs 368-371).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the client/server, as disclosed by Steenkamp, to include a local environment, as disclosed by Fransdonk, in order to provide geographic access criteria in DRM networks.

37. As to Claim 28, Steenkamp discloses the method of claim 26. Steenkamp does not explicitly disclose, however Fransdonk discloses wherein said client is not in a local environment of said server, and said local environment is a limited area defined relative to said server (Fransdonk; paragraphs 368-371).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the client/server, as disclosed by Steenkamp, to include a local environment, as disclosed by Fransdonk, in order to provide geographic access criteria in DRM networks.



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38. As to Claim 31, Steenkamp discloses the method of claim 29. Steenkamp does not explicitly disclose, however Fransdonk discloses wherein said client is not in a local environment of said server, and said local environment is a limited area defined relative to said server (Fransdonk; paragraphs 368-371).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the client/server, as disclosed by Steenkamp, to include a local environment, as disclosed by Fransdonk, in order to provide geographic access criteria in DRM networks.

39. Claim 11, 12, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steenkamp, as applied to Claims 9 and 49 above, and further in view of U.S. Patent Application Publication No. 2007/0112948 to Uhlik (hereinafter "Uhlik").

40. As to Claim 11, Steenkamp discloses the method of claim 9. Steenkamp does not explicitly disclose, however Uhlik discloses wherein authorizing said client includes measuring the time between sending said local environment confirmation request and receiving a reply from said client in response to said local environment confirmation request (Uhlik; paragraphs 67, 68, 100, 122; round trip time).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify authorization, as disclosed by Steenkamp, to include round trip time, as disclosed by Uhlik, in order to facilitate improved service based on subscriber information.

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41. As to Claim 12, Steenkamp discloses the method of claim 9. Steenkamp does not explicitly disclose, however Uhlik discloses wherein sending said local environment confirmation request includes pinging said client (Uhlik; paragraphs 67, 68, 100, 122; pinging).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify authorization, as disclosed by Steenkamp, to include pinging, as disclosed by Uhlik, in order to facilitate improved service based on subscriber information.

42. As to Claim 50, Steenkamp discloses the method of claim 49. Steenkamp does not explicitly disclose, however Uhlik discloses wherein authorizing said client includes measuring the time between sending said local environment confirmation request and receiving a reply from said client in response to said local environment confirmation request (Uhlik; paragraphs 67, 68, 100, 122; round trip time).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify authorization, as disclosed by Steenkamp, to include round trip time, as disclosed by Uhlik, in order to facilitate improved service based on subscriber information.

43. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Steenkamp and Fransdonk, as applied to Claim 23 above, and further in view of Uhlik.

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44. As to Claim 24, Steenkamp and Fransdonk disclose the method of claim 23. Steenkamp does not explicitly disclose, however Uhlik discloses wherein said authorization information is a reply to a ping request from said server (Uhlik; paragraphs 67, 68, 100, 122; ping).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify authorization, as disclosed by Steenkamp, to include ping, as disclosed by Uhlik, in order to facilitate improved service based on subscriber information.

45. Claim 13 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steenkamp, as applied to Claims 1 and 18 above, and further in view of U.S. Patent No. 7,376,840 to McCann et al. (hereinafter "McCann").

46. As to Claim 13, Steenkamp discloses the method of claim 1. Steenkamp does not explicitly disclose, however McCann discloses further comprising checking a revocation list to determine whether said client is included in said revocation list; wherein said revocation list is stored on said server (McCann; column 7 lines 14-20, column 9 lines 3-6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the disclosure of Steenkamp to include revocation lists, as disclosed by McCann, in order to enforce the revocation of authorization licenses in service networks.

47. As to Claim 25, Steenkamp discloses the method of claim 18. Steenkamp does not explicitly disclose, however McCann discloses further comprising checking a revocation list to

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determine whether said client is included in said revocation list; wherein said revocation list is stored on said client (McCann; column 7 lines 14-20, column 9 lines 3-6).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the disclosure of Steenkamp to include revocation lists, as disclosed by McCann, in order to enforce the revocation of authorization licenses in service networks.

48. Claims 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Steenkamp, as applied to Claim 1 above, and further in view of U.S. Patent No. 7,203,966 to Abburi et al. (hereinafter "Abburi").

49. As to Claim 14, Steenkamp discloses the method of claim 1. Steenkamp does not explicitly disclose, however Abburi discloses confirming a device count of members in said hub network by comparing said device count with a member device limit; wherein said client will not be added as a member in said hub network if said device count is greater than or equal to said member device limit (Abburi; column 61 lines 44-67 and column 62 lines 1-35; device count/limit).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the disclosure of Steenkamp to include a device count and device member limit, as disclosed by Abburi, in order to limit license provisioning in a DRM network.

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50. As to Claim 15, Steenkamp and Abburi disclose the method of claim 14. Abburi further discloses increasing said device count after adding said client as a member (Abburi; column 61 lines 44-67 and column 62 lines 1-35; device count/limit).

51. As to Claim 16, Steenkamp discloses the method of claim 1. Steenkamp does not explicitly disclose, however Abburi discloses comparing a device count of members in said hub network with a member device limit; and confirming said device count by contacting an external device registration server (Abburi; column 61 lines 44-67 and column 62 lines 1-35; device count/limit).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the disclosure of Steenkamp to include a device count and device member limit, as disclosed by Abburi, in order to limit license provisioning in a DRM network.

52. As to Claim 17, Steenkamp and Abburi disclose the method of claim 16. Abburi further discloses sending a device add request to said device registration server; and receiving a device add permission from said device registration server; wherein said device add request includes said device count (Abburi; column 61 lines 44-67 and column 62 lines 1-35; device count/limit).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vivek Krishnan whose telephone number is (571) 270-5009. The examiner can normally be reached on Monday through Friday from 9:00 AM to 5:30 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 276-9456. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/V. K./  
Examiner, Art Unit 2445

/VIVEK SRIVASTAVA/  
Supervisory Patent Examiner, Art Unit 2445